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10 Attorneys for Defendant
CHART INC.
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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
15

16 *IN RE PACIFIC FERTILITY CENTER*
17 *LITIGATION*

Case No. 3:18-cv-01586-JSC

18 **STIPULATION AND [PROPOSED]
ORDER EXTENDING DEADLINE TO
FILE AMENDED THIRD-PARTY
COMPLAINT**

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20 Judge: Hon. Jacqueline S. Corley
Place: Courtroom E, 15th Floor
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1 Pursuant to Local Rules 6-1(b), 6-2, and 7-12, Defendant and Third-Party Plaintiff Chart
 2 Inc. (“Chart”), and Third-Party Defendants San Francisco Fertility Centers, d/b/a Pacific Fertility
 3 Center, Joseph Conaghan, PhD, Eldon D. Schriock, M.D., Carolyn R. Givens, M.D., Philip E.
 4 Chenette, M.D., Carl M. Herbert, M.D., Liyun Li, M.D., and Isabelle P. Ryan, M.D. (collectively,
 5 “Third-Party Defendants”), by and through their respective counsel, respectfully submit this
 6 Stipulation and [Proposed] Order extending the deadline for Chart to file its Amended Third-Party
 7 Complaint.

8 WHEREAS, on October 10, 2019, Chart filed a Third-Party Complaint against the Third-
 9 Party Defendants (Dkt. 288).

10 WHEREAS, on December 10, 2019, the Third-Party Defendants (except for Dr.
 11 Conaghan) filed a Motion to Dismiss the Third-Party Complaint (Dkt. 339) (“PFC’s Motion to
 12 Dismiss”).

13 WHEREAS, on January 16, 2020, Dr. Conaghan filed a Motion to Dismiss the Third-
 14 Party Complaint (Dkt. 362) (“Conaghan’s Motion to Dismiss”).

15 WHEREAS, Chart filed oppositions to PFC’s Motion to Dismiss and Conaghan’s Motion
 16 to Dismiss on January 14 and January 30, 2020, respectively (Dkts. 360, 378).

17 WHEREAS, on January 28, 2020, the Third-Party Defendants (except for Dr. Conaghan)
 18 filed a reply in support of PFC’s Motion to Dismiss (Dkt. 375).

19 WHEREAS, on February 6, 2020, Dr. Conaghan filed a reply in support of Conaghan’s
 20 Motion to Dismiss (Dkt. 382).

21 WHEREAS, at the February 27, 2020, hearing on the motions to dismiss, the Court
 22 dismissed the Third-Party Complaint with leave to amend within 21 days.

23 WHEREAS, on March 18, 2020, Chart and the Third-Party Defendants stipulated to
 24 extend the deadline to file the Amended Third-Party Complaint until April 9, 2020, and the Court
 25 so ordered (Dkt. 425).

26 WHEREAS, on April 9, 2020, Chart and the Third-Party Defendants stipulated to extend
 27 the deadline to file the Amended Third-Party Complaint until April 23, 2020, and the Court so
 28 ordered (Dkt. 430).

1 WHEREAS, given ongoing meet and confer efforts among Chart and the Third-Party
2 Defendants, Chart and the Third-Party Defendants have stipulated and agreed to extend Chart's
3 deadline to file its Amended Third-Party Complaint for thirty (30) days, through and including
4 May 25, 2020.

5 NOW, THEREFORE, Chart and the Third-Party Defendants, through their respective
6 counsel, hereby stipulate that Chart's deadline to file its Amended Third-Party Complaint is
7 extended until **May 25, 2020**.

8 **IT IS SO STIPULATED.**

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10 Dated: April 23, 2020

11 By: /s/ Molly Moriarty Lane
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22 *Counsel for Defendant and Third-Party
23 Plaintiff CHART INC.*

24 Dated: April 23, 2020

25 By: /s/ Aaron T. Schultz
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35 *dba PACIFIC FERTILITY CENTER;*
36 **ELDON D. SCHRIOCK, M.D.; CAROLYN**
37 **R. GIVENS, M.D.; PHILIP E. CHENETTE,**
38 **M.D.; CARL M. HERBERT, M.D.; LIYUN**
39 **LI, M.D.; and ISABELLE P. RYAN, M.D.**

40 STIPULATION AND [PROPOSED] ORDER
41 EXTENDING DEADLINE TO FILE AMENDED
42 THIRD-PARTY COMPLAINT
43 CASE NO. 3:18-cv-01586-JSC

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2 Dated: April 23, 2020
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By: /s/ Julie Y. Park
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Counsel for Third-Party Defendant
JOSEPH CONAGHAN, PhD

FILER'S ATTESTATION

Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Molly Moriarty Lane, attest that concurrence in the filing of this document has been obtained.

Dated: April 23, 2020

/s/ Molly Moriarty Lane
Molly Moriarty Lane

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 24, 2020


HON. JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE